

Message Text

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C O N F I D E N T I A L LAGOS 5196

FOR AF/W EASUM AND CAHILL

E.O. 11652: GDS
TAGS: CASC, EARR, EFIN, NI (LEFEVRE, LOUIS)
SUBJECT: LEFEVRE ARREST CASE

REF: LAGOS 4846

1. LEFEVRE/EGBE HEARING TOOK PLACE AS SCHEDULED MORNING OF APRIL 25. CASE ADJOURNED AGAIN UNTIL JUNE 23.
2. PROSECUTION AND POLICE AGAIN ARGUED THAT CASE WAS NOT READY FOR TRIAL. DEFENCE ATTORNEY ROTIMI WILLIAMS PROTESTED TO MAGISTRATE THAT CASE HAD ALREADY BEEN DUE FOR TRANSFER IN MARCH, AND THAT ANOTHER TWO MONTHS POSTPONEMENT WAS UNJUSTIFIED. MAGISTRATE STATED HE WOULD BE GOING TN LEAVE STARTING MAY 15 AND SUGGESTED CASE BE HEARD IMMEDIATELY SO IT COULD BE RESOLVED PRIOR TO HIS DEPARTURE. PROSECUTOR REPLIED THAT HE HIMSELF WAS DUE FOR LEAVE AROUND MAY 7, AND THAT THERE WAS NOT ENOUGH TIME TO BEGIN CASE. AFTER MUCH DISCUSSION ON ALL SIDES, MAGISTRATE RULED THAT CASE WAS TO BE ADJOURNED UNTIL JUNE 23 WHEN HE WILL HAVE COMPLETED HIS LEAVE..
3. ALTHOUGH PROSECUTION CLAIMED TO HAVE LINED UP EIGHT WITNESSES, LEFEVRE, EGBE, AND WILLIAMS ARE SKEPTICAL AND CONTINUE TO FEEL THAT POLICE/PROSECUTION HAVE NO CASE, AND ARE ONLY POINTLESSLY

CONFIDENTIAL

PAGE 02 LAGOS 05196 251600Z

STALLING FOR TIME IN THE VAIN HOPE OF COMING UP WITH SOME EVIDENCE.

4. POLICE REPRESENTATIVES MENTIONED THAT EGBE BEING INVESTIGATED ON ANOTHER UNSPECIFIED MATTER WHICH EGBE AND LEFEVRE INTERPRETED AS ANOTHER INDICATION THAT AUTHORITIES ARE 'OUT TO GET' EGBE.

5. LEFEVRE, RITTER AND CONOFFICER FROST REPORTED OUTCOME OF HEARING TO E/C OFFICERS CLEW AND PEASHOCK. LEFEVRE SAID PROBABLE NEXT STEP WOULD BE TO PETITION ATTORNEY GENERAL TO TAKE CASE OUT OF MAGISTRATE COURT AND DECIDE WHETHER TO PROCEED OR DROP IT. ATTORNEY WILLIAMS SUGGESTED THAT RITTER OD AIIC GET DOCUMENTATION FROM COMPANY INDICATING THAT NO MONEY WAS STOLEN AND THAT THESE PAPERS WOULD BE USED TO SUPPORT WILLIAMS' PETITION TO ATTORNEY GENERAL. IF ATTORNEY GENERAL AGREES TO REVIEW CASE, LIKELY THAT IT WOULD BE RESOLVED MORE QUICKLY.

6. LEFEVRE HAD NOT HAD TIME TO DETERMINE WHETHER HE COULD DEPART NIGERIA UNTIL CASE RESUMES JUNE 23. BASED ON PAST PRACTICE, WE ARE ASSUMING HE WOULD NOT BE ALLOWED TO LEAVE.

7. EMBOFFS SAID THIS NEW DELAY SHOULD BE RAISED IN CURRENT WASHINGTON ECONOMIC BILATERALS AS A TIMELY EXAMPLE OF THE DIFFICULTIES POTENTIAL AMERICAN INVESTORS PERCEIVE IN NIGERIA. NIGERIANS MAY NOT AGREE, BUT AMERICANS VIEW LEFEVRE EXPERIENCE AS HARASSMENT BECAUSE THE CASE IS NOT BEING SETTLED PROMPTLY AND LEFEVRE IS BEING DETAINED IN NIGERIA FOR SEVERAL MONTHS. GROUNDS FOR THE CASE ARE WEAK BECAUSE AIG DID NOT COMPLAIN OF THEFT OF ITS MONEY; THE POLICE DID. WE STRONGLY FEEL THAT THE CASE SHOULD BE DISPOSED OF PROMPTLY. FAILING THAT, LEFEVRE SHOULD AT LEAST BE ALLOWED TO DEPART NIGERIA
CONFIDENTIAL

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PAGE 03 LAGOS 05196 251600Z

UNTIL CASE RESUMES JUNE 23. ONE OF THE EMBASSY'S NORMAL FUNCTIONS IS TO ASSESS BUSINESS PROSPECTS IN NIGERIA FOR AMERICAN BUSINESS THROUGH PERSONAL BRIEFINGS, SPEECHES AND ARTICLES SUCH AS THE FORTHCOMING TRADE OUTLOOK ARTICLE. IT WOULD BE IMPOSSIBLE TO AVOID REFERENCE TO CASES SUCH

AS BAKER AND LEFEVRE SINCE THEY BECOME BETTER KNOWN THE LONGER THEY CONTINUE. THE IMPACT ON POTENTIAL INVESTORS CANNOT BE MEASURED BUT AANNOT HELP BUT DISCOURAGE SOME.)

8. ANOTHER TACTIC DISCUSSED WAS AN EMBASSY APPROACH TO THE ATTORNEY GENERAL TO EMPHASIZE SERIOUSNESS OF CONTINUED DELAY. AIG FELT THAT THIS SHOULD BE LEDT TO LEFEVRE'S LAWYERS FOR TIME BEING.
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